

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RONALD LEE DEBERRY, JR.,

Plaintiff,

v.

CRCR, et al.,

Defendants.

No. 1:22-cv-00280-DAD-BAM (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

(Doc. No. 10)

Plaintiff Ronald Lee Deberry, Jr. is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On April 15, 2022, the assigned magistrate judge issued findings and recommendations, recommending that this action be dismissed due to plaintiff's failure to state a cognizable claim upon which relief may be granted. (Doc. No. 10.) Those findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days of service. (*Id.*) On May 11, 2022, plaintiff filed objections to the pending findings and recommendations. (Doc. No. 11.) Therein, plaintiff repeats the same factual allegations set forth in his first amended complaint (Doc. No. 9), which were addressed thoroughly and correctly by the magistrate judge in the pending findings and recommendations (Doc. No. 10). Plaintiff also requests that the court settle this action. (Doc. No. 9.) To the extent

1 plaintiff is requesting a settlement conference, such a request is premature in light of the court's
2 conclusion that plaintiff's first amended complaint fails to state any cognizable claims. In his
3 objections, plaintiff does not otherwise address the analysis set forth in the findings and
4 recommendations.

5 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
6 *de novo* review of the case. Having carefully reviewed the entire file, including plaintiff's
7 objections, the court finds the findings and recommendations to be supported by the record and
8 by proper analysis.

9 Accordingly,

- 10 1. The findings and recommendations issued on April 15, 2022 (Doc. No. 10) are
11 adopted;
- 12 2. This action is dismissed due to plaintiff's failure to state a cognizable claim upon
13 which relief may be granted; and
- 14 3. The Clerk of the Court is directed to close this case.

15 IT IS SO ORDERED.

16 Dated: **June 3, 2022**

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19 UNITED STATES DISTRICT JUDGE
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